

1 KEVIN V. RYAN, CA NO. 118321
United States Attorney
2 JOANN M. SWANSON, CA NO. 88143
Chief, Civil Division
3 EDWIN L. JOE, CA NO. 112328
4 Special Assistant U.S. Attorney

5 455 Market Street, Sixth Floor
San Francisco, CA 94105
6 Telephone: (415) 744-8494
7 Facsimile: (415) 744-6812
edwin.joe@sba.gov

8 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)	E-Filing
14)	
14 Plaintiff,)	Case No: C05-1195 EMC
15)	
15 v.)	HON. EDWARD M. CHEN
16)	
16 MILEPOST VENTURES, L.P.)	Date: Nov. 8, 2006
17)	Time: 10:30 AM
17 Defendant.)	Ctrm: C, 15th Floor
18)	450 Golden Gate Ave., SF, CA
19)	

20 **ORDER APPROVING THE RECEIVER'S NOTICE AND DETERMINATION OF**
21 **CLAIMS AND AUTHORIZING PAYMENT OF APPROVED CLAIMS WITHOUT**
22 **ESTABLISHING SUMMARY DISPOSITION PROCEDURES**

23 This matter came before the Court on the Motion for Entry of an Order Approving the
24 Receiver's Notice and Determination of Claims and Authorizing Payment of Approved Claims
25 without Establishing Summary Disposition Procedures filed by the U. S. Small Business

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28 **C05-1195 EMC – ORDER ON APPROVING THE RECEIVER'S RECOMMENDED
DISPOSITION OF CLAIMS AND THE PRIORITY OF PAYMENT OF APPROVED
CLAIMS AND WITHOUT ESTABLISHING SUMMARY DISPOSITION PROCEDURES**

Administration ("SBA") as Receiver ("Receiver") for Milepost Ventures, LP ("Milepost"). After reviewing the pleadings,

IT IS HEREBY ORDERED THAT:

1. The Receiver's Motion for Entry of an Order Approving the Receiver's Notice and Determination of Claims, Authorizing Payment of Approved Claims and Establishing Summary Disposition Procedure is **GRANTED**; and

2. The Receiver's Notice and Determination of Claims Received in Response to the Claims Bar Date, and the Receiver's recommendations therein are **APPROVED**; and
(AS CLARIFIED BY THE SUPPLEMENTAL DECLARATION OF RICHARD MYER (DOCKET NO. 39))

3. The Receiver is authorized to pay the following claims in the following order of priority, to the extent of available receivership assets, and the following claims are hereby

APPROVED:

a) First, any and all administrative expenses of the receivership estate as reported in the Receiver's Reports to this Court;
Expenses after THE RECEIVER'S REPORT. TO BE APPROVED BY THE COURT

b) Second, any future outstanding Receiver's Certificates, should the Receiver make such borrowings from the SBA in the future, plus accrued interest;

c) Third, for payment of the approved general claim of Christine Cordaro in the amount of \$22,435.84; and

4. Fourth, to the United States Small Business Administration, a federal agency and the sole Preferred Limited Partners in the amount of \$16,265,000.00, representing the principal amount of outstanding Participating Securities Leverage;

5. After the expenses and claims in paragraphs one through four are paid in full, any surplus shall be distributed to the equity shareholders of Milepost in accordance with the Agreement of Limited Partnership;

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1 6. All persons who failed to file claims pursuant to the terms of the Court's Order entered
2 February 14, 2006 establishing the Claims Bar Date, shall be forever barred and shall be
3 permanently enjoined from asserting, pursuing or prosecuting any pre-receivership claim (i.e.,
4 arising before June 3, 2005) against Milepost, the Receiver, their successors or assigns, or
5 against assets or funds in the possession of the Receiver.
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8 **SO ORDERED** this 24th day of October, 2006, in San Francisco, California.

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THE HONORABLE EDWARD M. CHEN
UNITED STATES MAGISTRATE JUDGE